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No fee pd.

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT
OF PENNSYLVANIA

MICHAEL P. EVANS

:

v

: Civ. No. 00-0664

FRANKLIN J. TENNIS, et al :

Superintendent of S.C.I. Rockview

NOTICE OF APPEAL

Notice is hereby given that Michael P. Evans petitioner
in the above named case, hereby appeal to the United States
Court of Appeals for the Third Circuit from the final judgment
dismissing petitioner's 60(b) motion entered in this action
on the 11th day of September 2006.

FILED

SEP 20 2006

Michael P. Evans

CLERK, U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

Michael P. Evans, Pro se

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MOTION TO CONTINUE TO PROCEED IN FORMA PAUPERIS STATUS

COMES NOW, Michael P. Evans (petitioner), herein, pro se; respectfully requests this honorable court grant relief-because petitioner's financial situation has not changed-permit petitions to continue IN FORMA PAUPERIS in this matter.

1). On April 18, 2000, this honorable court granted petitioner leave to proceed IN FORMA PAUPERIS, and petitioner has proceeded up to present.

2). Petitioner has and is incarcerated, and his financial condition has not changed.

3). Petitioner requests this honorable court to permit him to continue with IN FORMA PAUPERIS status through this matter.

WHEREFORE, petitioner prays this honorable court grant relief permitting petitioner to continue IN FORMA PAUPERIS status.

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CERTIFICATE OF SERVICE

I, Michael P. Evans, hereby certify a true and correct copy of the foregoing has been sent, via United States Postal Service, First-Class, Pre-Paid, on this 17th day of September, 2006, to the following:

Rebeca Spangler

District Attorney's Office of Allegheny county

401 Allegheny County Courthouse

Pittsburgh, PA 15219

Michael P. Evans

Michael P. Evans